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Forty-sixth session
FIFTH COMMITTEE
Agenda items 116 and 117

UNITED NATIONS COMMON SYSTEM

UNITED NATIONS PENSION SYSTEM

Note by the Secretary-General

The Secretary-General has the honour to transmit herewith, for consideration by the General Assembly, a statement adopted by the Administrative Committee on Coordination (ACC) at its second regular session of 1991.

Annex

STATEMENT BY THE ADMINISTRATIVE COMMITTEE ON COORDINATION

The Administrative Committee on Coordination (ACC) decided to adopt the following statement for submission to the General Assembly:

"ACC has repeatedly drawn to the attention of the General Assembly the need to ensure competitive levels of remuneration of staff in the Professional and higher categories and predictability in the management of their conditions of service. For this reason, it welcomed the General Assembly's decision to award in 1990 the first real salary increase in over a decade.

"However, because of considerations of margin management under the existing methodology, there remains the threat of another freeze in post adjustment. A freeze, even for a short duration, would eliminate the benefits of the 1990 salary increase. It would reintroduce a stop-go salary system, which is disruptive, technically unsound and damaging to the morale of the staff, on whom ever greater demands are being placed. Moreover, a freeze in United Nations remuneration levels would be indefensible at a time when the comparator, recognizing that the salaries of its civil servants are not competitive, has begun to take action gradually to align civil service salaries with those of the private sector; concrete recognition is thus being given to the fact that civil service salaries in the comparator lag behind those of the private sector by some 30 per cent.

"ACC notes the decision of the International Civil Service Commission (ICSC) to reiterate the recommendation to the General Assembly that the calculation of the five-year average margin be abandoned and that the margin should be allowed to fluctuate freely within the range (110-120) without the requirement that it be kept around the mid-point (115). While supporting such a measure, ACC notes that it would not by itself necessarily avoid a freeze and ACC urges the General Assembly to suspend the operation of the margin methodology until such time as the impact of the United States Federal Employees Pay Comparability Act is reflected in the margin itself or at least for the next two years.

"ACC recalls its support for the establishment, as one of the results of the comprehensive review, of a base/floor salary scale for the United Nations system pegged to the level of pay of civil servants in the comparator service in Washington. ACC is concerned that the base/floor scale not be allowed to lag behind the reference salary levels and it welcomed the decision of the General Assembly to increase the scale by 5 per cent with effect from March 1991. In line with the notion of regular updating of the scale, ACC supports the recommendation of ICSC to increase the base/floor scale by 8.6 per cent to take account of changes in the comparator's equivalent pay levels in Washington.

"ACC recalls its repeated appeals to the United Nations Joint Staff Pension Board to develop a long-term solution to the problems associated with the adjustment of initial pensions. ACC therefore forcefully supports the recommendation of the Pension Board with respect to the modification of the pension adjustment system with effect from 1 April 1992.

"It is a matter of great concern to ACC that the remuneration levels for the assistant secretary-general/under-secretary-general categories in all United Nations agencies have significantly lagged behind those of equivalent positions in the comparator civil service. The officials in these categories occupy positions of great responsibility and authority and which are of critical importance to the work of these organizations. Therefore ACC fully supports the ICSC recommendation that consideration be given to increasing the remuneration levels of these high officials by 7 to 11 per cent and has requested the Secretary-General, as Chairman of ACC, to recommend this to the General Assembly.

"ACC supports the ICSC recommendations concerning the improvements of the housing arrangements granted to assistant secretaries-general/ under-secretaries-general and equivalent levels and the adjustments of pensionable remuneration commensurate with the proposed increase in net remuneration.

"Furthermore, ACC notes that the effective margin between United Nations/United States remuneration at the D-1 and D-2 levels would continue to be virtually at zero and not be affected by the proposed increase for assistant secretaries-general and under-secretaries-general. ACC is firmly of the view that this question should continue to be examined by the Consultative Committee on Administrative Questions (Personnel) (CCAQ/PER) and ICSC with a view to improving the margin at these levels.

"ACC notes that all the measures outlined above, though of crucial importance in the short term to improve the conditions of service of Professional staff in the United Nations common system, still do not attack the root of the problem, which is the loss of competitiveness of United Nations salaries. In the longer term, measures must be introduced to restore this competitiveness. A comparative study is needed, in this regard, of the conditions prevailing for staff at equivalent levels in the World Bank group, the International Monetary Fund, the Organisation for Economic Cooperation and Development, the European Economic Community and similar institutions. ACC accordingly requests the ICSC to undertake such a comparative study, also in light of the comparator practices, jointly with the secretariat of CCAQ (PER) with a view to reporting to ACC at its autumn 1992 session on proposals to be presented to the General Assembly at its forty-seventh session.

"ACC has always attached the utmost importance to issues related to the independence and security of the staff working for the organizations. It therefore welcomes a statement on this subject prepared by a number of former executive heads. The statement is attached.

"Finally, ACC draws the attention of the General Assembly to the fact that, in response to General Assembly resolutions 44/198 and 45/241 on the review of the functioning of ICSC, ACC carried out a careful review and submitted its report to the General Assembly, which is contained in document A/46/275."

Appendix

STATEMENT BY FORMER EXECUTIVE HEADS ON THE INDEPENDENCE AND SECURITY OF INTERNATIONAL OFFICIALS a/

We, who have served as executive heads of agencies of the United Nations family, express our grave concern at the continuing assaults against the independence of the international civil service.

Today, more than ever, it has become clear that there is no alternative to the United Nations family of organizations for seeking solutions to the problems that arise in every field of human endeavour in an increasingly interdependent world.

To carry out its tasks effectively, the United Nations system must have the confidence and respect of its member States. It can only earn this confidence if the organizations are, and are seen to be, impartial and free from the influence of any one country or group of countries. This means in essence an independent international civil service.

It is for this self-evident reason that we have on many occasions stressed the importance of an independent international civil service and the General Assembly has adopted a series of resolutions on the subject. That these principles continue to be violated and executive heads and staff members continue to be subjected to undue influence is disquieting, harmful and deplorable.

As we have on occasions been exposed to such undue pressure, we know from personal experience how detrimental they can be to the proper functioning of international organizations and thus to the cause of international cooperation.

Pressure is exercised for a variety of purposes but most often in personnel matters, such as imposing or proscribing the appointment of an official. An added threat to the independence is the detention and arrest of international officials while performing their duties; in some cases, aggression against the international civil service has gone to the ultimate limit: assassination. We cannot condemn these practices too strongly.

None of this detracts from the legitimate interest that Member States have in the proper staffing of international organizations, but in their own best interest, our purpose is to seek respect for the Charter provision enjoining Member States to respect the exclusively international character of the responsibilities of the Secretary-General [and all executive heads] and the staff and not to seek to influence them in the discharge of their responsibilities. Nothing could be clearer; nothing is more important.

(Signed)

Francis Blanchard, former Director-General, International Labour Organisation (ILO)

Addeke H. Boerma, former Director-General, Food and Agriculture Organization of the United Nations (FAO)

Poul Hartling, former United Nations High Commissioner for Refugees (UNHCR)

Abderrahman Khene, former Director-General, United Nations Industrial Development Organization (UNIDO)

Halfdan Mahler, former Director-General, World Health Organization (WHO)

Sadruddin Aga Khan, former United Nations High Commissioner for Refugees (UNHCR)

Notes

a/ E/CN.4/1991/NGO.33.

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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993

Representation allowance for under-secretaries-general and assistant secretaries-general

Report of the Secretary-General

INTRODUCTION

1. The General Assembly, by section V of its resolution 45/241 of 21 December 1990, requested the International Civil Service Commission (ICSC) to reconsider, in a comprehensive manner, the remuneration of staff of organizations of the United Nations common system at the assistant secretary-general and under-secretary-general and equivalent levels, taking into account, inter alia, the remuneration levels of equivalent positions in the comparator civil service, representation and other allowances, housing arrangements and pensionable remuneration levels, and to report thereon to the General Assembly at its forty-sixth session.

2. At its thirty-fourth session, ICSC undertook a comprehensive review of the conditions of service of assistant secretaries-general and under-secretaries-general. The Commission made specific recommendations on levels of net remuneration and pay comparability vis-à-vis the United States civil service, housing arrangements and pensionable remuneration levels. However, with respect to representation allowances, it concluded that they were "not susceptible to common system treatment and would best be handled by executive heads under guidance from governing bodies of their respective organizations". 1/

3. The present report is submitted pursuant to the latter conclusion. It is divided into three sections: background information, review of the level of representation allowances and financial implications.

I. BACKGROUND INFORMATION

4. The purpose of a representation or hospitality allowance in the United Nations has not been precisely defined. Equally difficult is the establishment of an appropriate basis for its comparison or measurement. In 1946, it was foreseen that assistant secretaries-general would be delegated considerable political responsibility and that their expenses for hospitality would be substantial. Their conditions of service differed considerably from those of other staff members. In 1946, their allowance could range from $7,000 to $11,500, at the Secretary-General's discretion, as compared with a base salary of $13,500 per annum. 2/ The allowance covered representation, education costs, children's allowances, dependency allowance and housing. A top-ranking Director 3/ received a net salary of $11,000, together with an allowance varying from $3,000 to $6,000.

5. The Flemming Committee recommended that assistant secretaries-general be entitled to dependency and housing allowances, but that the representation allowance should be separate. The General Assembly, by its resolution 470 (V) of 15 December 1950, decided to continue the existing allowances at a range of $7,000 to $10,000, compared with a net base salary of $15,000 a year, as of 1 January 1951. The allowances were deemed to include all representation (including hospitality) and special allowances, such as housing, education and children's allowances, but not reimbursable expenses. At the same time, a top-ranking Director became eligible to receive "the allowances which are available to staff members generally" and a specific allowance for representation varying from $1,000 to $3,500. In 1954, the Assembly made assistant secretaries-general eligible for several allowances and benefits applied to other staff members, but not for education grant or children's allowances. As of 1 January 1955 [General Assembly resolution 887 (IX) of 17 December 1954], assistant secretaries-general were renamed under-secretaries-general, with a salary of $18,000 (subject to the staff assessment plan at the rates laid down in Assembly resolution 239 (III) of 8 November 1948) and with an allowance of $3,500 a year to cover representation, education costs and children's allowances. If otherwise eligible, they received other allowances and benefits available to staff members generally. At the same time, the Secretary-General was authorized to make additional payments to under-secretaries-general and officials of equivalent rank at Headquarters to compensate for such special costs as might be reasonably incurred, in the interest of the Organization, in the performance of duties assigned to them by the Secretary-General. The maximum total amount of such payments was to be determined in the annual budget by the General Assembly. Three years later, the allowance was discontinued and hospitality allowances instituted, up to maximum amounts approved in the regular budget of the Organization. Since 1971, assistant secretaries-general/under-secretaries-general have been paid $3,000 and $4,000 as representation allowances, respectively.

6. The payment of a separate representation allowance has been acknowledged by the General Assembly for 20 years. Its general purpose is to cover some of the costs associated with the representational aspects of the work of these

senior officials. However, no reference point has been established to determine the level of the allowance, nor has any periodic adjustment mechanism been applied to account for inflationary changes in the costs the allowance is designed to cover. There is no differentiation in the amounts payable at different duty stations, despite the fact that costs associated with representation may vary substantially from one location to another. This variation is reflected in the annual amounts of representation allowance of senior officials of the other organizations of the United Nations common system, as presented in table 1.

7. The provisions of paragraphs 2 and 5 of annex I to the Staff Rules authorize the Secretary-General "to make additional payments to the Director-General for Development and International Economic Cooperation, to under-secretaries-general and to assistant secretaries-general to compensate for such costs as may be reasonably incurred, in the interest of the Organization, in the performance of official duties assigned to them by the Secretary-General. The maximum total amount of such payments is to be determined in the programme budget by the General Assembly."

8. Hospitality for official functions is not covered by the representation allowance: the amount is distributed among budget sections in amounts ranging, for the 1992-1993 biennium, from $212,000 for the Secretary-General to $500 for a number of offices. The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in its first report on the proposed programme budget for the biennium 1992-1993, 4/ has noted difficulties in ascertaining a general rationale or policy guiding the request for such funds, including eligibility for their payment.

9. Table 2 compares the level of annual net remuneration and representation allowance of the Secretary-General, the Director-General for Development and International Economic Cooperation, the Administrator of the United Nations Development Programme (UNDP), under-secretaries-general and assistant secretaries-general and those of officials other than Secretariat officials. The level of representation allowance for the Secretary-General and the Chairmen of ACABQ and ICSC were revised effective 1 January 1991.

Table 1. Representation allowances per annum

Organization	ILO	FAO	UNESCO	WHO	ICAO	UPU	ITU	WMO	IMO	IFAD	UNIDO	IAEA	GATT
Currency	SwF	US$	US$	US$	US$	SwF	SwF	SwF	US$	US$	S	US$	SwF
Executive head	51 000	32 000	30 370	20 000	20 000 a/	20 000	24 000	24 000	25 000	32 000	265 000	17 748	60 000
Deputy Executive head	7 650	6 000	5 620	3 000	10 000 b/	10 000	12 000 c/	12 000	7 000	6 000	53 100	2 958	20 000
Assistant Executive head	6 375	3 000	3 190	2 600	-	Nil	-	12 000	-	3 000	10 620	-	d/

a/ President of the Council.

b/ Secretary-General.

c/ Maximum reimbursement levels to a total of 5 elected officials on basis of presentation of bills.

d/ May call on hospitality fund with prior authorization.

Table 2

(In United States dollars)

United Nations Secretariat Officials	Annual net compensation	Current representation allowance
Secretary-General	170 000	25 000
President of International Court of Justice	145 000	15 000
Director-General/UNDP Administrator	137 083	10 000
Chairman ICSC/ACABQ	112 875	8 000
USG (New York)	113 366	4 000
ASG (New York)	103 977	3 000
USG (Geneva)	138 524	4 000
ASG (Geneva)	127 052	3 000
USG (Vienna)	118 121	4 000
ASG (Vienna)	108 339	3 000

II. REVIEW OF THE LEVEL OF THE REPRESENTATION ALLOWANCE

10. The present levels of representation allowance payable to under-secretaries-general and assistant secretaries-general were established in 1971. Over the 20-year period to January 1991, the cost-of-living in New York has increased by some 240 per cent. Bearing in mind the comprehensive review of conditions of service of this category of staff carried out by ICSC and the need for adjustments to representation allowances in order that they remain up to date, the Secretary-General would consider it reasonable to increase the level of the allowance at this time.

11. As part of the comprehensive review of conditions of service of the Professional and higher categories carried out by ICSC in 1989 and 1990, a proposal was put forward which provided for (a) linkage between the representation allowance and the emoluments of under-secretaries-general and assistant secretaries-general; and (b) adjustment of the allowance over time. 5/ The level of representation allowance for under-secretaries-general and assistant secretaries-general would be established at the equivalent of 10 per cent of the net base salaries (at the dependency rate) of these officials. Future adjustments to the levels of the allowance would be made in proportion to the movement of the net base salary, with the adjustment being effected when the net base salary increased by at least 15 per cent.

12. The net base salary scale is established and adjusted by reference to the corresponding net base salary levels of United States officials at Washington. Assuming increases of 4 to 5 per cent per year in the emoluments of officials of the comparator civil service, the proposal would provide for an increase in the level of the representation allowance every three to four years. However, adjustments to the level of representation allowance would be triggered not by movements in the cost of living in New York but by changes in comparator pay levels, which in turn are linked to labour market costs. The resulting amounts of representation allowance would bear no direct relation to the net emoluments of under-secretaries-general or assistant secretaries-general, nor would there be any differentiation in the amounts payable at different duty stations.

13. An alternative proposal would be to establish the levels of representation allowance by direct reference to salary, in amounts equal to one month of net remuneration. This would yield higher amounts and provide for automatic adjustments in the levels of the allowance to keep pace with cost-of-living movements. A direct linkage between the levels of the allowance and net remuneration would provide for differentiation in the amounts payable at different duty stations.

14. Table 3 presents a comparison of the amounts of representation allowance that would be payable to under-secretaries-general and assistant secretaries-general in New York, Geneva and Vienna under the proposals set out above, based on present levels of annual net base salary and total annual net remuneration.

Table 3

(In United States dollars)

United Nations Secretariat officials	Annual net base salary	Total annual net remuneration	Proposal (1) Representation allowance	Proposal (2) Representation allowance a/
USG (New York)	76 702	113 366	7 670	9 450
ASG (New York)	70 350	103 977	7 035	8 650
USG (Geneva)	76 702	138 524	7 670	11 550
ASG (Geneva)	70 350	127 052	7 035	10 600
USG (Vienna)	76 702	118 121	7 670	9 850
ASG (Vienna)	70 350	108 339	7 035	9 050

a/ Rounded to nearest $50.

15. Either proposal would have a significant impact on the level of the representation allowance. Establishing the level on the basis of the value of one month's total net remuneration would result in an increase nearly 200 per cent. At the same time, it should be noted that, in the history of the United Nations, no attempt has been made to develop a system to establish and adjust the level of representation allowance. It would seem appropriate that such a mechanism be developed. The Secretary-General would thus propose that the level of representation allowance of under-secretaries-general and assistant secretaries-general be established on the basis of monthly total net remuneration. This method would offer the added advantage of administrative simplicity.

16. For officials other than Secretariat officials, the General Assembly has established a periodic review. The conditions of service and annual compensation of the members of the International Court of Justice and the Chairmen of ACABQ and ICSC were reviewed by the Assembly at its forty-fifth session. No increase in the level of the representation allowance of the President of the International Court of Justice took place but the special allowance payable to the Chairmen of ACABQ and ICSC was increased from $5,000 to $8,000. The next comprehensive review of the members of the Court is scheduled for 1993: that for the Chairmen of ACABQ and ICSC will take place in 1995. The level of annual remuneration of the Director-General for Development and International Economic Cooperation and the Administrator of UNDP was reviewed by the Assembly at its forty-fifth session: no change took place in their representation allowance ($10,000).

17. Bearing in mind the nature of the impact of the proposed increase on the level of representation allowance for under-secretaries-general and assistant secretaries-general in the forthcoming biennium and taking into account the desirability of minimizing the additional financial implications thereof, the Secretary-General would propose to introduce the increase on a gradual basis. In this context, it is noted that ICSC has recommended an increase in the net remuneration level for these senior officials in the range of 7 to 11 per cent. Also, unrestricted movement of post adjustment at the base of the system would provide for further annual increases in the levels of net remuneration in New York in the order of 5 per cent.

18. Accordingly, the Secretary-General would propose to stagger the implementation of the increase in the level of representation allowance for under-secretaries-general and assistant secretaries-general over the period 1992-1996. The annual amounts would be established at 50 per cent of monthly net remuneration in 1992, 60 per cent in 1993, 70 per cent in 1994, 80 per cent in 1995 and at 100 per cent starting in 1996.

III. FINANCIAL IMPLICATIONS

19. Should the General Assembly decide to grant an increase of some 10 per cent in the net remuneration of under-secretaries-general and assistant secretaries-general and should there be further annual increases of 5 per cent due to post adjustment movement, the resulting annual amounts of representation allowance in New York would be as follows:

(In United States dollars)

	1992	1993	1994	1995	1996
USG					
Monthly net remuneration	10 645	11 177	11 736	12 323	12 939
Representation allowance per annum	5 320	6 710	8 210	9 860	12 940
ASG					
Monthly net remuneration	9 763	10 252	10 764	11 302	11 868
Representation allowance per annum	4 880	6 150	7 530	9 040	11 870

20. In summary, should the General Assembly approve the proposals outlined above, it is estimated that additional requirements of $218,500 would arise for the biennium 1992-1993 as follows:

	1992	1993
Under-secretaries-general	36 960	75 880
Assistant secretaries-general	39 480	66 150
Total	76 440	142 030

Notes

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 30 (A/46/30), vol. I, para. 173 (e).

2/ General Assembly resolution 13 (I), sect. VI.

3/ The post of "top-ranking Director" covered the senior grade of the classified service: it applied to persons serving as deputy to an assistant secretary-general or as director of a major staff service (e.g. Director of Personnel, Director of Budget, Controller).

4/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 7 (A/46/7), para. 67.

5/ ICSC/1989/WG.3/R.3.

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Agenda item 107

PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993

Representation allowance for under-secretaries-general and assistant secretaries-general

Report of the Secretary-General

Corrigendum

Page 5, table 2

Replace table 2 by the following:

Table 2

(In United States dollars)

	Annual net compensation	Current representation allowance
United Nations Secretariat Officials		
Secretary-General	170 000	25 000
Director-General/UNDP Administrator	137 083	10 000
USG (New York)	113 366	4 000
ASG (New York)	103 977	3 000
USG (Geneva)	138 524	4 000
ASG (Geneva)	127 052	3 000
USG (Vienna)	118 121	4 000
ASG (Vienna)	108 339	3 000
Other officials		
President of International Court of Justice	145 000	15 000
Chairman ICSC/ACABQ	112 875	8 000

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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993

UNITED NATIONS COMMON SYSTEM

UNITED NATIONS PENSION SYSTEM

Administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission (A/46/30)

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

INTRODUCTION

1. The seventeenth annual report of the International Civil Service Commission (ICSC) 1/ contains a number of decisions and recommendations that have financial implications for the biennium 1992-1993, related to the following issues (the reference paragraphs in the ICSC report are indicated in parentheses). The report also has financial implications for the biennium 1990-1991 in respect of some decisions and recommendations:

(a) Comprehensive review of pensionable remuneration by the General Service and related categories of staff (paras. 72-90);

(b) Remuneration of the Professional and higher categories of staff: base/floor salary scale (paras. 117-127);

(c) Comprehensive review of conditions of service of Assistant Secretaries-General/Under-Secretaries-General (paras. 160-173);

(d) Remuneration of the General Service and related categories of staff (paras. 174 and 175).

2. There are no financial implications for either the regular budget or extrabudgetary sources of funding of the organizations members of the Pension Fund contained in the annual report of the United Nations Joint Staff Pension Board to the General Assembly. 2/ It may be noted that, at this stage, any additional costs consequent upon long-term adjustment of the pension system are to be absorbed by the Pension Fund.

I. COMPREHENSIVE REVIEW OF PENSIONABLE REMUNERATION FOR THE GENERAL SERVICE AND RELATED CATEGORIES OF STAFF

3. Pursuant to General Assembly resolution 45/242 of 21 December 1990, the Commission has undertaken the comprehensive review in close cooperation and consultation with the United Nations Joint Staff Pension Board. The Commission has proposed a phased approach to the completion of the comprehensive review of pensionable remuneration and consequent pensions of General Service and related categories of staff: further studies will focus on local practices as regards pensions and use of the income replacement approach in conjunction with local taxes. In the meantime, ICSC recommends maintaining the current methodology for the determination of the pensionable remuneration of this category of staff, and has recommended approval of a revised staff assessment scale, effective 1 January 1992.

4. The Commission has not presented an indication of the financial implications of the introduction of the revised staff assessment scale for the United Nations common system. As indicated in paragraph 87 of its report, 3/ some savings could be anticipated in terms of the contributions to the Pension Fund by the organizations, but the amount of such savings would be small.

II. REMUNERATION OF THE PROFESSIONAL AND HIGHER CATEGORIES OF STAFF: BASE/FLOOR SALARY SCALE

5. In section I.H of its resolution 44/198 of 21 December 1989, the General Assembly approved the recommendation of ICSC to establish a floor net salary level for staff in the Professional and higher categories, by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service. This base/floor scale was part of an integrated package in which negative classes of post adjustment were eliminated: it is used also to calculate payments under the new mobility and hardship scheme, as well as separation payments. 4/

6. As was the case in 1990, in view of salary increases in the comparator civil service, ICSC has recommended to the General Assembly that the current base/floor salary scale should be increased through the consolidation of classes of post adjustment. The increase would comprise 8.6 per cent and would be effective 1 March 1992. The financial implications of the recommendation for the United Nations common system as a whole is estimated at $5,869,300 for 1992, with implementation as of 1 March 1992. The costs to the United Nations regular budget for 1992 will be $1,088,160, and for 1993 $1,305,780.

7. In addition, there will be an estimated increase of $6,391,000 for 1992 under staff assessment, section 36, to be offset by an increase in an equal amount under income section 1. The comparable figure for 1993 will be $7,669,000.

III. COMPREHENSIVE REVIEW OF CONDITIONS OF SERVICE OF ASSISTANT SECRETARIES-GENERAL/UNDER-SECRETARIES-GENERAL

8. By section V of its resolution 45/241 of 21 December 1990, the General Assembly requested ICSC to reconsider, in a comprehensive manner, the remuneration of staff of organizations of the United Nations common system at the Assistant Secretary-General, Under-Secretary-General and equivalent levels. The Commission has presented proposals on establishment of equivalencies and associated net remuneration levels, revised housing arrangements and pensionable remuneration.

9. Having established working level equivalencies with the Executive Schedule of the comparator civil service, the ICSC has recommended an increase in net remuneration for staff at the Assistant Secretary-General/ Under-Secretary-General levels in a range of 7 to 11 per cent to reflect improved conditions of service in the Executive Schedule. The Commission recommended that the specific level of increases should be determined by the Assembly in the light of such recommendations as the Secretary-General may wish to make, bearing in mind the desirability of establishing net remuneration ratios vis-à-vis the comparator civil service for those levels of staff that are in line with those prevailing for the P-1/D-2 categories of staff as a whole.

10. The Secretary-General notes the recommendation of ICSC that approximate working level equivalencies for the Under-Secretary-General level could be set at levels II and III of the Executive Schedule of the comparator civil service and for the Assistant Secretary-General level at levels III and IV of that service. The following net remuneration comparisons as of 1 July 1991 may be made, as a consequence, on a grade-by-grade basis and taking into account cost-of-living differences between Washington and New York:

Net remuneration comparisons as of 1 July 1991
on a grade-by-grade basis

(In United States dollars)

United Nations/ United States grade	Net remuneration United Nations a/ $	Net remuneration United States b/ $	Ratio United Nations/ United States	Cost-of-living ratio New York/ Washington	Ratio United Nations/ United States adjusted for cost-of-living differences
Under-Secretary-General/ Executive Schedule II/III	113 366	92 233	1.23	1.101	1.12
Assistant Secretary-General/ Executive Schedule III/IV	103 977	86 376	1.20	1.101	1.09

a/ Base salary plus New York post adjustment (multiplier 47.8).

b/ Net of tax, dependency rate, at Washington.

11. The Administrative Committee on Coordination (ACC), at its second regular session of 1991, recorded its concern that the remuneration levels for the Assistant Secretary-General/Under-Secretary-General categories in all United Nations agencies have significantly lagged behind those of equivalent positions in the comparator civil service. The officials in these categories occupy positions of great responsibility and authority and which are of critical importance to the work of these organizations. Therefore, ACC fully supported the ICSC recommendation that consideration be given to increasing the remuneration levels of these officials by 7 to 11 per cent. ACC requested the Secretary-General, in his capacity as Chairman of ACC, to make such a recommendation to the General Assembly.

12. The Commission reiterated its recommendation made in 1990, that revised housing arrangements be established for staff at the Assistant Secretary-General/Under-Secretary-General and equivalent levels. Executive heads would be authorized to exercise discretion to approve the granting of special subsidy arrangements to staff at the Assistant Secretary-General/ Under-Secretary-General and equivalent levels in cases where such officials

needed to rent suitably sized and located accommodation. The current arrangements whereby a limit is placed on the maximum allowable rent for the purposes of calculating rental subsidies would be replaced by new arrangements whereby eligible officials would receive a maximum rental subsidy amounting to 75 per cent of the threshold rent for the individual concerned. Examples of the operation of the proposed arrangements are given in annex VI of the report of the Commission. 3/ ACC, at its second regular session of 1991, supported the ICSC recommendations concerning revised housing arrangements.

13. With regard to pensions for staff at these levels, ICSC has recommended that the pensionable remuneration scale be adjusted commensurate with changes in remuneration, but that alternative pension arrangements should be deferred. ACC, at its second regular session of 1991, supported the recommendation of ICSC in this regard.

14. The Commission was of the view that representation allowances would best be handled by executive heads under guidance from the governing bodies of their respective organizations. To this end, the Secretary-General has presented a separate note to the General Assembly at the current session (A/C.5/46/32).

15. ICSC has presented no financial implications for this item for the United Nations common system. The United Nations estimates the cost to the regular budget for 1992 and 1993 as follows:

(In United States dollars)

	1992 $	1993 $
Revised housing arrangements	317 000	383 000
Representation allowances	76 440	142 030
	393 440	525 030

IV. REMUNERATION OF THE GENERAL SERVICE AND RELATED CATEGORIES OF STAFF

A. Survey of best prevailing conditions of service at Geneva

16. The financial implications of the implementation of the Commission's recommendations resulting from its survey of best prevailing conditions of service of staff in the General Service and related categories at Geneva amounted to $19.0 million for 1991 for all organizations with staff at that location. The implementation date for the revised salary scales was 1 January 1991, the date to which the survey data relates and all organizations implemented the revised scales as of that date. The

implementation of the Commission's recommendations as of that date resulted in additional costs estimated at $4.3 million for the United Nations regular budget in 1991.

B. Survey of best prevailing conditions of service at Vienna

17. The financial implications of the Commission's recommendations resulting from its survey of best prevailing conditions of service of staff in the General Service and related categories at Vienna amount to a savings of $1.1 million for 1991 for the organizations with staff at that location. The implementation date for the revised salary scales is 1 April 1991, the date to which the survey data relates. The implementation of the Commission's recommendations as of that date result in savings estimated at $169,350 for the United Nations regular budget in 1991 and $225,800 for 1992 and 1993. It should be noted that the Vienna-based organizations have introduced, on the recommendation of ICSC, a single seven-level salary scale for the General Service and related categories of staff.

V. SUMMARY

18. The additional costs for the regular budget of the United Nations for 1992 and 1993 resulting from the decisions and recommendations of ICSC are summarized below:

(In United States dollars)

	1992 $	1993 $
Comprehensive review of pensionable remuneration for the General Service and related categories of staff	-	-
Remuneration of the Professional and higher categories base/floor salary scale:		
Negative post adjustment	57 950	69 530
Mobility/hardship matrix	842 140	1 010 570
Separation scale	188 070	225 680
Comprehensive review of conditions of service of Under-Secretaries-General/Assistant Secretaries-General:		
Revised housing arrangements	317 000	383 000
Representation allowances	76 440	142 030
Remuneration of the General Service and related categories		
Survey of best prevailing conditions in Geneva a/	-	-
Survey of best prevailing conditions in Vienna b/	(225 800)	(225 800)
Total	1 225 800	1 605 010

a/ Financial implications of $4,336,000 are estimated for 1991.

b/ Savings of $169,350 are estimated for 1991.

19. Following past practice, it is intended to deal with the impact of the recommendations of ICSC as indicated in paragraph 18 above in the first programme budget performance report for the biennium 1992-1993.

Notes

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 30 (A/46/30).

2/ Ibid., Supplement No. 9 (A/46/9).

3/ Ibid., Supplement No. 30 (A/46/30), vol. I.

4/ Ibid., Forty-fourth Session, Supplement No. 30 (A/44/30), vol. II, paras. 118, 119, 316 and 453 (g).

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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993

Revised estimates resulting from resolutions and decisions of the Economic and Social Council at its first and second regular sessions, 1991

Report of the Secretary-General

1. The present report deals with the additional requirements resulting from resolutions and decisions adopted by the Economic and Social Council at its first and second regular sessions, 1991. In accordance with paragraph 3 of rule 31 of the rules of procedure of the Economic and Social Council, the Council was provided, when required, with a statement of programme budget implications prior to the adoption of the resolutions and decisions. A summary table of all resolutions/decisions for which statements of programme budget implications were submitted is contained in the annex to the present report.

2. The total estimated requirements arising out of resolutions and decisions adopted by the Economic and Social Council amount to $3,767,300 for the year 1991, $7,468,200 for the biennium 1992-1993 and $1,328,100 for the biennium 1994-1995, totalling $12,563,600.

3. The total requirements cover both conference-servicing ($5,540,200) and other requirements ($7,023,400), as shown below:

	1991	1992-1993	1994-1995	Total
	$	$	$	$
Conference-servicing costs	1 634 000	3 771 400	134 800	5 540 200
Other costs	2 133 300	3 696 800	1 193 300	7 023 400
Total	3 767 300	7 468 200	1 328 100	12 563 600

4. The estimates of conference-servicing requirements referred to in paragraph 3 above were calculated on a full-cost basis. With regard to the year 1991 ($1,634,000), a provision had been made in the biennium 1990-1991 under section 29 (Conference and library services) 1/ to finance those requirements. With regard to the biennium 1992-1993, the cost estimates for conference-servicing requirements ($3,771,400) are based on the assumption that no part of the conference-servicing requirements would be met from within the permanent conference-servicing capacity under section 32 (Conference services) 2/ of the proposed programme budget for the biennium 1992-1993 and that additional resources would be required for temporary assistance for meetings. The extent to which the Organization's permanent capacity would need to be supplemented by temporary assistance resources can be determined only in the light of the calendar of conferences for 1992-1993. In accordance with established practice, provisions have been made in the proposed programme budget for the biennium 1992-1993 not only for meetings already known at the time of budget preparation, but also for meetings or extensions of such meetings that may be authorized subsequently, based on the pattern that has emerged over the previous five years. On that basis, it is estimated that no additional resources would be required under section 32 of the proposed programme budget for the biennium 1992-1993 as a result of the adoption of the resolutions and decisions by the Economic and Social Council. As regards the requirements for the biennium 1994-1995 ($134,800), they will be dealt with at the time of the preparation of the proposed programme budget for that biennium.

5. The estimated requirements for items other than conference-servicing costs amount to $2,133,300 for the year 1991 under sections 23, 24 and 27 of the programme budget. These requirements have already been covered by provisions made in the programme budget for the biennium 1990-1991.

6. Other requirements for the biennium 1992-1993 amount to $3,696,800. Of these, an amount of $3,626,600 has already been provided for in the proposed programme budget for the biennium 1992-1993. Consequently, total additional requirements for activities derived from legislative mandates not provided for in the proposed programme budget, and requiring the use of the Contingency Fund, amount to $70,200, as follows:

		1992-1993 $	
(a)	Other requirements resulting from Council resolutions/decisions	3 696 800	
(b)	Provided in the 1992-1993 proposed programme budget	3 068 200	a/
(c)	Provided from extrabudgetary resources	558 400	b/
(d)	Subject to the guidelines of the Contingency Fund	70 200	

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a/ Section 13 (Department of International Economic and Social Affairs ($1,432,300), for preparatory activities related to the International Conference on Population and Development); section 12 (Regular programme for technical cooperation) ($102,100); section 28 (Human rights) ($1,527,300); and section 31 (Public information) ($6,500), for activities relating to human rights issues.

b/ Section 13 (Department of International Economic and Social Affairs), for preparatory activities in relation to the International Conference on Population and Development.

7. The amount of $70,200, subject to the guidelines of the Contingency Fund, is requested under section 22, International drug control, of the proposed programme budget for the biennium 1992-1993. 3/ This requirement relates to resolutions 1991/49 entitled "Enlargement of the Commission on Narcotic Drugs" and 1991/39 entitled "Functioning of the Commission on Narcotic Drugs and provisional agenda for its thirty-fifth session".

8. By paragraph 1 of resolution 1991/49 the Council decided that the membership of the Commission should be increased from 40 to 53. By paragraph 2 the Council also decided to fill the 13 new seats at its organizational session of 1992. By paragraph 1 of resolution 1991/39 the Council decided that the Commission should henceforth meet annually for a period not exceeding eight working days.

9. Resources for the Commission are provided for under section 22 (International drug control) of the proposed programme budget for the biennium 1992-1993 for travel of representatives from 40 Member States to attend the twelfth special session scheduled for 1992 and the thirty-fifth regular session in 1993 of the Commission. The travel costs for 13 additional members to attend the two annual sessions are estimated at $70,200.

10. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived

from legislative mandates not provided for in the programme budget. Also, each statement of programme budget implications and each proposed revised estimates should contain alternatives to the financing from the Contingency Fund of the proposed new activities.

11. In the event that the additional requirements of $70,200 arising from the enlargement of the Commission on Narcotic Drugs from 40 to 53 members could not be met from the Contingency Fund, it is proposed to postpone implementation of the following low-priority activities under section 22 to the biennium 1994-1995:

Subprogramme 4. Demand reduction, coordination and information

Activities:

4. Information materials and services (low priority): some activities under this category would be identified on a selective basis for deferral to the biennium 1994-1995.

12. In conclusion, subject to the guidelines of the Contingency Fund, an additional appropriation of $70,000 is requested under section 22, International drug control, of the proposed programme budget for the biennium 1992-1993.

Notes

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 6 (A/44/6/Rev.1, vol. II).

2/ Ibid., Forty-sixth Session, Supplement No. 6 (A/46/6/Rev.1, vol. II).

3/ Ibid., vol. I.

Annex

SUMMARY OF ESTIMATES OF PROGRAMME BUDGET IMPLICATIONS OF RESOLUTIONS ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL IN 1991

(In United States dollars)

Resolutions/ decision number	Title	Statement of programme budget implications	1991	1991-1993 a/	1994-1995 a/	1991	1992-1993 a/	1994-1995 a/
1991/39	Functioning of the Commission on Narcotic Drugs and provisional agenda for its thirty-fifth session	E/1991/24	-	-	-	-	134 800	134 800
1991/49	Enlargement of the Commission on Narcotic Drugs	E/1991/24, E/1991/103/Add.1	-	70 200	70 200	-	-	-
1991/93	International Conference on Population and Development	E/1991/47/Add.1	-	1 432 300 b/	1 010 000	-	1 362 700	1 287 600
1991/234	Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination	E/1991/22/Add.1	20 800 c/	-	-	99 400	-	-
1991/235	Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights and study of special problems which the developing countries face in their efforts to achieve these human rights	E/1991/22/Add.1	-	93 200 d/	-	-	228 300	-
1991/236	Respect for the rights of everyone to own property alone as well as in association with others	E/1991/22/Add.1	62 800 c/	2 700 d/	-	-	-	-
1991/237	Situation of human rights in South Africa	E/1991/22/Add.1	268 600 c/	359 200 d/	-	1 272 500	1 554 200	-
1991/238	Internally displaced persons	E/1991/22/Add.1	43 900 c/	-	-	-	-	-

Resolutions/ decision number	Title	Statement of programme budget implications	1991	1991-1993 a/	1994-1995 a/	1991	1992-1993 a/	1994-1995 a/
1991/240	Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur	E/1991/22/Add.1	39 200 c/	-	-	-	-	-
1991/241	Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers	E/1991/22/Add.1	53 400 c/	-	-	-	-	-
1991/242	Question of enforced or involuntary disappearances	E/1991/22/Add.1	132 200 c/	-	-	-	-	-
1991/243	Question of arbitrary detention	E/1991/22/Add.1	383 500 c/	997 600 d/	113 100	-	-	-
1991/244	Human rights and the environment	E/1991/22/Add.1	42 300 c/	4 400 d/	-	-	-	-
1991/245	Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief	E/1991/22/Add.1	20 800 c/	-	-	-	-	-
1991/246	Assistance to Guatemala in the field of human rights	E/1991/22/Add.1	72 300 c/	13 500 d/	-	-	-	-
1991/247	Report of the Special Rapporteur on the sale of children, child prostitution and child pornography	E/1991/22/Add.1	104 100 c/	34 000 d/	-	-	-	-
1991/248	Work of the Subcommission on Prevention of Discrimination and Protection of Minorities	E/1991/22/Add.1	-	2 700 d/	-	-	-	-
1991/249	Report of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities	E/1991/22/Add.1	99 000 c/	-	-	124 800	-	-
1991/251	Situation of human rights in Kuwait under Iraqi occupation	E/1991/22/Add.1	82 100 c/	14 200 d/	-	-	-	-
1991/252	Situation of human rights in Cuba	E/1991/22/Add.1	66 700 c/	13 000 d/	-	-	-	-

Resolutions/ decision number	Title	Statement of programme budget implications	1991	1991-1993 a/	1994-1995 a/	1991	1992-1993 a/	1994-1995 a/
1991/253	Situation of human rights in Romania	E/1991/22/Add.1	25 300 c/	-	-	-	-	-
1991/254	Cooperation with representatives of United Nations human rights bodies	E/1991/22/Add.1	39 200 c/	-	-	-	-	-
1991/255	Summary or arbitrary executions	E/1991/22/Add.1	80 800 c/	14 200 d/	-	-	-	-
1991/256	Situation of human rights in Iraq	E/1991/22/Add.1	66 900 c/	13 100 d/	-	-	-	-
1991/257	Situation of human rights in El Salvador	E/1991/22/Add.1	81 800 c/	13 500 d/	-	-	-	-
1991/258	Situation of human rights in Haiti	E/1991/22/Add.1	66 900 c/	13 100 d/	-	-	-	-
1991/259	Situation of human rights in Afghanistan	E/1991/22/Add.1	102 700 c/	13 700 d/	-	-	-	-
1991/260	Situation of human rights in Equatorial Guinea	E/1991/22/Add.1	76 500 c/	16 800 d/	-	-	-	-
1991/261	Situation of human rights in the Islamic Republic of Iran	E/1991/22/Add.1	88 200 c/	15 900 d/	-	-	-	-
1991/263	Organization of the work of the forty-eighth session of the Commission on Human Rights	E/1991/22/Add.1	-	-	-	-	491 400	-
	Total		2 133 300 c/	3 138 400 b/ d/	1 193 300	1 634 000	3 771 400	134 800

a/ At revised 1991 rates.

b/ In addition, requirements relating to the Conference totalling $558,400 would be financed from extrabudgetary resources.

c/ Funds are already provided under the 1990-1991 programme budget (sects. 23, 24 and 27).

d/ To be financed from the provision made under sect. 28 of the 1992-1993 proposed programme budget for activities of a perennial nature.

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UNITED NATIONS COMMON SYSTEM

Comments by the Federation of International Civil Servants' Associations

Note by the Secretary-General

The Secretary-General transmits herewith for consideration by the Fifth Committee a document submitted by the Federation of International Civil Servants' Associations (FICSA). This document has been presented pursuant to the provisions of paragraph 2 (b) of General Assembly resolution 35/213 of 17 December 1980, whereby the General Assembly reiterated its readiness "to receive and consider fully the views of the staff as set out by a designated representative of the Federation of International Civil Servants' Associations in a document submitted through the Secretary-General under the agenda item entitled 'Report of the International Civil Service Commission'".

Annex

COMMENTS BY THE FEDERATION OF INTERNATIONAL CIVIL SERVANTS' ASSOCIATIONS

I. GENERAL

1. When this Federation met with the International Civil Service Commission (ICSC) in Paris in March 1991 and in New York later in the year, there occurred the usual frustrating, shortsighted, inconclusive exchange of opinions to which we have become accustomed. The Commissioners once again manifested their determination to address the agenda items with the sole purpose of cutting, reducing and thereby demeaning the terms and conditions of service of all staff in the United Nations common system. When a person has been in the international civil service environment for at least 16 years, as have many staff representatives (and the distinguished representatives have not), one's patience with the reduction mentality grows short. In fact, the antics of the Commissioners have become so predictable that staff representatives are able to anticipate their response to any issue; if there is a way to introduce a reduction, the Commission will find it. If the way to introduce a reduction is unclear, the Commission will delay the issue by calling for a study.

2. During the last ICSC session, some of the Commissioners were concerned that we find it easy to criticize them and accused us of lacking the courage to speak plainly and clearly to the Fifth Committee. We assured them that indeed we have the courage and would not miss the opportunity. The Commissioners encouraged us to present our views to the Fifth Committee in the same terms as we use with them, most particularly on several technical issues such as the freeze of Professional salaries and the unacceptable decision to proceed with a study aimed at changing the method of determining the pensionable remuneration of General Service and related categories of staff, which has worked out so well in the past.

3. For nearly 16 years, staff representatives have been talking to the Fifth Committee in the form of one written statement a year. One submission, no dialogue. Over the past 16 years, the Fifth Committee has received from us untold amounts of paper containing innumerable columns of statistics and explanations and justifications to support our insistence that the terms and conditions of service of the international civil servant should not be reduced to the lowest common denominator. High are the expectations of the United Nations General Assembly for its international staff, important are the tasks it entrusts to them but low is the compensation it is willing to grant. Very few of its members actually took cognizance of what staff have been saying; those who did understand the need to stimulate the hiring of quality staff by offering competitive compensation preferred not to stand up to the conviction, perhaps for fear of being ostracized by Member States larger or richer than them.

4. In 1988, the Fifth Committee decided to alter its process of work and set up a system of "informal meetings" that exclude the participation of staff representatives. This move led to the unacceptable and demeaning practice of "hallway-sitting" which consists of staff representatives sitting in the corridor outside the meeting room awaiting questions from delegates. It is an affront to not only our dignity, but also to the dignity of the members of the General Assembly, in that they have shown their incapacity to trust in the very people to whom they have entrusted their countries' programmes. The Fifth Committee would certainly agree that a fresh perspective is required since, in most countries, staff participation is recognized as a valuable contribution to the effective management of both private and public sector organizations.

5. At times during the last 16 years, the United Nations (but not its specialized agencies) has suffered a crisis in confidence. It was perhaps not in the interests of several countries to have a strong United Nations, or perhaps there were other reasons for a decline in United Nations credibility. However, opinions are now undergoing a change. The United Nations has proved its worth as an international forum, thanks in great measure to the ongoing efforts of the people who work there.

6. While the organization takes credit, staff are accorded scant recognition by the organization and the world at large. In fact, actions are taken by the technical body of the Fifth Committee to discourage staff. For example, why were pension levels for Professional staff reduced twice? Why were Professional salaries frozen for four years? Why does this technical body want to attack the General Service pension system? Why has the Fifth Committee created a problem called "overlap" by refusing to adjust Professional salaries? Why does it now wish to tackle the overlap problem it created by cutting back on General Service salaries and pensions rather than raising Professional salaries? Why is it unable to see that its technical body is undermining the common system by insisting that conditions of service continuously deteriorate? Why does it fail to comprehend the fundamental problems facing the international civil servant today? Is it really so out of touch with reality?

7. There are several points in the ICSC report that we would like to comment on. We expect a positive response from the Fifth Committee to our positions this year.

II. PENSIONS

8. The staff expect initial pensions in local currency to be in parity with pensions at the base city - 50 per cent of pensionable remuneration after 25 years of service or full Option D as set forth in the report of the United Nations Joint Staff Pension Board (UNJSPB) which is already available to the Fifth Committee. The time for increasing contributions to 24 per cent (maintaining the ratio of one third/two thirds) has arrived. This was agreed in 1983 and has not yet been fully implemented.

9. Professional staff look at the comparator's pensions and what do they find? Not a favourable comparison to say the least. The average age of entrance to the United States Civil Service is 23; there is no compulsory retirement age. Those retiring at age 62 leave with an accumulation rate of 78 per cent of final average remuneration. The maximum possible accumulation is 80 per cent. In the United Nations system, the average entrance age for Professional staff is 43; the maximum accumulation is 46 per cent. The policy supported by staff is to have a 2 per cent accumulation rate begin on entrance on duty and accruing credit for pension contribution through 35 years of service.

III. SALARIES

10. For 16 years the purchasing power of Professional salaries has steadily declined through the Fifth Committee's wilful policy of reductions and refusal to grant full adjustment for cost-of-living rises. When it set the freeze in 1984, it ensured that the salaries of Professional staff would never catch up with the cost of living.

11. In 1989, the margin was set at a 5-year 115 mid-point average. The Commissioners are again recommending the rescission of the average and the granting of partial classes of post adjustment provided these do not move the margin above 120. The result for Professional staff is a partial freeze. Staff recommend raising the upper limit of the margin to at least 125 until the full impact of the United States Federal Employees Pay Comparability Act is known.

IV. RESTRUCTURING THE INTERNATIONAL CIVIL SERVICE COMMISSION

12. Annexed to the present report is a copy of a FICSA paper on the functioning of ICSC. We trust that the Fifth Committee will make time to read it thoroughly and give our proposals careful consideration. It is time for staff to be accorded full right to negotiate with their employer. In order to do this, we need a fully impartial, highly professional, objective negotiating mechanism.

V. SECURITY AND INDEPENDENCE OF THE INTERNATIONAL CIVIL SERVANTS

13. FICSA is gravely concerned by the ongoing violations of the independence and security of the international civil servants, particularly the number of staff members from the United Nations Relief and Works Agency still detained or imprisoned in the Middle East.

14. FICSA appeals to the Fifth Committee to redouble efforts to impress upon Governments and other entities the illegality of holding international civil servants without explanation, even if those staff members are nationals of the country in which they are being held. In case of arrest, it is essential that

the United Nations and its agencies have access to detained staff and take full responsibility for regular medical visits by a physician or team of physicians.

15. Following release from detention, a staff member's re-entry to service should be as swift, smooth and unstressful as possible, with no bureaucratic delay.

16. A complete computerized system of information on detained and missing staff should be established in the Office of the United Nations Security Coordinator.

17. FICSA continues to be preoccupied by the increasing number of personnel either seconded by their Governments, serving under reimbursable loans or engaged as associate experts. These practices must be monitored closely in order to protect the independence of the international civil service. Moreover, the practice of certain Governments of providing supplementary payments to some of their nationals working in the United Nations system should be prohibited.

VI. CONCLUSIONS

18. The decisions the Fifth Committee is called on to make at this year's session will have a very serious impact on the terms and conditions of service of 52,000 people worldwide. We would like to see the Fifth Committee take its responsibilities seriously this year. It should not simply accept the recommendations of its technical body. It should reflect long on those recommendations, seriously consider their implications, contrast them with staff positions and come up on the side of justice.

Appendix

POSITION PAPER BY THE FEDERATION OF INTERNATIONAL CIVIL SERVANTS' ASSOCIATIONS ON THE ESTABLISHMENT OF A FRAMEWORK FOR THE DETERMINATION OF CONDITIONS OF SERVICE

Introduction

1. The present document has been prepared in response to a decision by the General Assembly to undertake a review of the functioning of ICSC. In resolution 44/198, the Secretary-General was invited, in consultation with staff representatives, to present a report on that subject, together with the views of the Commission itself, the General Assembly, at its forty-sixth session, in 1991. The present report contains FICSA's proposals for the establishment of a forum for negotiation of conditions of service.

2. There is no doubt that one of the contributing factors which led to the decision by the General Assembly to review the functioning of ICSC was the position taken by FICSA in 1988 and 1989. As a result of its disassociation with the activities of the Commission in 1988, modifications of the modus operandi of the Commission were introduced the following year which permitted a more democratic process of consultation between all parties concerned up to the decision-making stage when it came to an abrupt halt. Welcome as they were as a first step, the improvements witnessed in 1989 fell far short of what FICSA continues to perceive as the only viable method for determining conditions of employment: negotiations with the employers.

3. FICSA is concerned that the present review of the functioning of ICSC, while providing an opportunity for a number of improvements, will ignore the fundamental problems besetting the determination of conditions of service. Staff have been dismayed by the superficial and wholly inadequate level of consultation. On their side, Member States have taken exception to the statute of ICSC by frequently failing to observe the strict standards set forth in article 3, paragraph 1, and article 6, paragraph 1. FICSA has taken note of the report of the Consultative Committee on Administrative Questions (CCAQ) on the functioning of ICSC; the extent of some of the changes suggested by CCAQ is indicative of the widespread dissatisfaction of the administrations with ICSC in its present form. After a thorough examination of the CCAQ position paper, however, as well as a review of its recent experiences with the Commission under its "new" working methods, FICSA believes that it is essential to propose fundamental changes in the process leading to the determination of conditions of service.

New forum for negotiation of conditions of service

Background

4. In 1972 the General Assembly decided to establish an International Civil Service Commission. Two years later the present statutes of ICSC was approved. Significant changes have taken place throughout the world, in the field of industrial relations, public and private. Although these have brought in their sway an increasingly active participation of employees and their representatives in the determination of terms and conditions of service, the statute of ICSC has remained unchanged.

5. The current decade is placing increasing demands upon the United Nations and its specialized agencies. To satisfy these demands, there is a need for highly qualified and motivated staff who, through their elected representatives, are able to participate and negotiate directly concerning their terms and conditions of employment. Consultation is not an acceptable replacement for negotiation.

6. FICSA realizes that in a public/international service environment, direct negotiation with the decision-makers implies negotiation at the level of the legislative body. This may be cumbersome and impractical for many reasons, least amongst which would be the size of the Fifth Committee of the General Assembly and the need for legislators not to be part of the negotiated recommendations which they subsequently would have to review and decide upon. FICSA is therefore proposing a system which would permit full and meaningful negotiations between employer and staff, without diluting the decision-making authority of the legislative body.

7. FICSA's proposals are based on the negotiation process of conditions of service for public officials in the national context. In formulating these proposals, FICSA took full account of relevant international instruments, such as the Labour Relations (Public Service) Convention (No. 151) and Recommendation (No. 159), 1978, and the Collective Bargaining Convention (No. 154) and Recommendation (No. 163), 1981 of the International Labour Organisation (ILO). It also fully took into account the work of the ILO Joint Committee on the Public Service which, in 1988, studied in depth the question of the right to collective bargaining of public employees.

8. Following the logic of collective bargaining, FICSA wishes to address hereafter all issues imprescriptible to the setting up of true negotiation in the public service regarding the determination of the employer; the determination of the legislation; the items to be subject of negotiation; and the negotiation and decision-making process.

The employer

9. The Secretary-General of the United Nations as well as the executive heads of the specialized agencies are responsible for selecting and appointing staff of their respective organizations. They are, therefore, to be considered as the staff's employers.

The legislative body

10. The General Assembly - and more specifically the Fifth Committee - is the legislative body which currently determines the conditions of service of the staff of the United Nations and its family. Although this may appear to have been a practical arrangement, it has a number of distinct disadvantages:

(a) Delegates assigned to the Fifth Committee (frequently junior diplomats) are not selected for their technical qualifications in the field of human resource management, industrial relations or labour, yet they are required to take decisions which have far-reaching implications on the competence, quality and efficiency of United Nations staff, and hence on the organizations themselves. It is little wonder that decisions are based on political rather than technical considerations;

(b) The status of delegates to the Fifth Committee as members of a national delegation frequently hinders the accrual of expertise and familiarity with the complex issues under discussion: continuity among delegates is relatively rare, owing to the normal rotation policy among diplomats. The junior level of representation of many delegations reflects the low priority attached by the respective Governments to the discussion of administrative and personnel issues in the Fifth Committee;

(c) For many delegates to the General Assembly, the United Nations implies the United Nations Secretariat in New York, and there is little awareness or recognition of the United Nations offices and specialized agencies in other headquarter and field duty stations;

(d) The consideration of personnel issues is consistently eclipsed by world crises under discussion in other Main Committees of the General Assembly;

(e) The Fifth Committee is responsible for both common system issues - in the area of terms and conditions of employment - and United Nations-specific issues in the area of budget and finance; decisions related to common system issues and the United Nations budget are bound to be taken against the context of the latter and hence ignore to a large extent the specific requirements of the specialized agencies.

11. By assuming responsibility for an area which does not fall within its competence, the Fifth Committee is failing to utilize the resources available to the United Nations system. It was never the intention of the United Nations Secretariat to cover all areas of specialization. The specialized agencies were each assigned a mandate entrusting them with the task of coordinating activities in their particular field of specialization. The determination of standards of employment is the prerogative of ILO, founded in 1919, whose Governing Body is comprised of representatives of Member States, workers and employers. By assigning to the ILO Governing Body, for example, the task of deciding conditions of service for the United Nations and its family, a judicious use of resources, both financial and human, could be achieved. By transferring responsibility for decision-making away from the

Fifth Committee there would be a greater likelihood that decisions would be based on a whole range of relevant considerations rather than exclusively on political and financial constraints. Naturally, the proportion that personnel costs occupy in the overall budget would continue to provide a framework for discussion and decision. It is further believed that this additional level of expertise, part of which derives from greater continuity of service in areas of human resource management and staff-management relations, would have far reaching and positive effects on the competence, quality and efficiency of staff and management within the United Nations system.

12. FICSA believes it is time that the United Nations system made more effective use of its distinct fields of expertise. Another possibility would be the setting up of a new legislative coordination body, consisting of one representative from the governing body of each participating organization, with full powers to agree with any negotiated terms proposed by the negotiating body, and commit funds accordingly.

The negotiating body

13. The common system is based on agreements between the United Nations and each specialized agency whereby they "agree to develop common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services." They also agree to consult on a variety of staff matters "with a view to securing as much uniformity in these matters as shall be found practicable" [emphasis added]. They further agree to cooperate in the interchange of personnel, when desirable, on a temporary or permanent basis, making due provision for the retention of seniority and pension rights. ICSC was created to give effect to those agreements, of which FICSA can only emphasize the pertinence. Unfortunately, the functioning of ICSC and the common system has ignored and blurred the spirit and objectives of these agreements.

14. The role of the proposed negotiating body should be limited to the determination of general rules and principles on conditions of service and related matters, providing for minimum conditions of service which must be common to all organizations forming part of the United Nations system. On top of this binding minimum, each and every organization should be free to discuss directly with its own personnel relevant improvements in the interests of both staff and management. Indeed, ICSC's mandate according to article 1 of its statute is twofold: it includes not only regulation, but also coordination of conditions of service, the latter being quite different from the former. According to article 10 of the same statute, ICSC's recommendations are actually limited to the "broad principles for the determination of the conditions of service of the staff", whereas these recommendations when approved by the General Assembly are, on the contrary, binding only for Professional salaries, staff assessment scales and a limited number of allowances. In other words, ICSC's statute as it stands should never have been interpreted as limiting the decision power of the respective

organizations with regard to matters relating to conditions of service not explicitly mentioned in its article 10 (b), (c) and (d).

15. Although in a perfect world, conditions of employment should be identical throughout the international civil service, differences in duty stations often necessitate a flexible application of similar principles. Climatic conditions, degree of hardship and local customs are among those factors responsible for differences, for example, in working hours, standard of travel, sick-leave entitlements, etc. There should be a move towards reducing the number of issues that fall within the competence of the negotiating body. Guidance on issues determined between staff and the employer (executive head) at the duty station could continue to be provided by CCAQ which would assume a more important coordinating role.

16. CCAQ should be given the authority to negotiate directly with staff representatives those issues which do not fall within the area of competence assigned to the legislative body. Whereas the level of allowances or entitlements and their minimum application should be determined on a system-wide basis, executive heads should be allowed leeway to extend the application of allowances and entitlements if they so choose, based on the conditions at the duty station and other factors. Examples of this are, inter alia, the non-resident's allowance for internationally recruited General Service staff, merit awards and incentives, home-leave travel arrangements, etc.

17. Negotiations between CCAQ and staff representatives as equal partners would be an extension of the negotiating process which already exists at the level of the majority of organizations. Both sides of the negotiating table would continue to hold meetings to develop their positions, but decisions would be taken only during joint negotiating sessions.

18. The primary concern of the negotiating body and its secretariat shall be methodology for General Service and Professional salaries, post adjustment, allowances, pensions and leave entitlements. The negotiating body and its secretariat shall also be concerned from time to time with other issues including career development, contractual status, post classification, recognition of merit and other entitlements. In this case the involvement will be for purposes of cataloguing, analysing and proposing certain minimum standards. Those organizations that require support regarding the enforcement of minimal conditions should be assisted, while more progressive organizations would continue to establish more advantageous terms of employment since no ceilings are proposed or implied.

19. In countries where negotiation mechanisms are well developed (e.g. the Nordic countries), it is the practice to use independent mediators to assist the two parties in reaching consensus in cases of deadlock. If this procedure was accepted within the context of the international civil service, ILO in its capacity of expert in labour negotiations, would be the appropriate organ to assume that role.

20. The negotiating body should be bipartite, composed of representatives of the employer and staff authorized to negotiate an agreed position on items on the agenda and adopt joint recommendations to the legislative body for final decision.

Secretariat of the negotiating body

21. In order for the negotiating body to have available technical background and statistical information to assist it in arriving at negotiated positions and recommendations, a technical secretariat shall be appointed. This secretariat shall be composed of staff members possessing qualifications in the various subjects of which the negotiating body shall be seized. Secretariat staff shall be regular staff members of an organization of the common system, assigned for a specific period of time to the secretariat.

22. There is a need for an independent secretariat with the resources and authority to obtain data on the conditions and terms of service in national civil services as well as in the United Nations and its specialized agencies. A rotation policy for Professional staff of the secretariat should be enforced, and advantage should be taken of loan/secondment arrangements for staff in participating organizations. Similarly, staff appointed to the secretariat could be assigned on loan to requesting agencies, ensuring a to-and-fro movement of secretariat staff. The secretariat would maintain responsibility for preparation of documentation and timely distribution thereof. The final report, to be prepared by the secretariat, shall set out the negotiated positions and/or recommendations.

Executive Secretary

23. A search panel composed of representatives of the two participating parties would undertake all actions connected with the identification of an appropriate candidate. This includes the preparation of the post description, the evaluation of applications and the preparation of a short-list of qualified candidates. The name of the successful candidate will be communicated to the appropriate personnel office for recruitment.

Working procedures

24. The negotiating body should include in its agenda items proposed by either party. It would also receive and negotiate subjects/issues requested by the legislative body. Such issues would be given primary consideration particularly those concerning the date when negotiated position was to be presented to the legislative body. The agenda of each session would include a number of standing items as well as those items proposed at the end of the previous session. The secretariat would be responsible for coordinating background documentation.

25. The negotiating body should determine its calendar and the number of meetings, which would be dictated by the requirements of the agenda. To enable it to perform its tasks in an efficient and timely manner, the

negotiating body should not be limited to the two regular meetings per year as is the case with ICSC, and appropriate budgetary resources should be provided.

26. At the conclusion of negotiations on any point(s) a final report would be prepared by the secretariat, addressed to the legislative body. Prior to submission thereof, the report would be reviewed by the parties to the negotiating body and "signed off" by the Chairman.

Relationship between the legislative and negotiating bodies

27. The legislative body receives the report of the negotiating body for its consideration together with a verbal presentation by the Chairman as may be deemed appropriate by the negotiating body. The Chairman and Vice-Chairman of the negotiating body will be available for clarification during the meeting of the legislative body. The legislative body will decide to accept or reject the negotiated recommendations on each issue.